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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE SHEET METAL)	NO. C 08 4954 MHP
WORKERS, et al.,)	
)	(PROPOSED)
Plaintiffs,)	ORDER FOR SIXTY DAY
)	<u>CONDITIONAL DISMISSAL</u>
vs.)	
)	
STALEY'S HEATING & SHEETMETAL INC.,)	
a California corporation,)	
)	
Defendant.)	
_____)	

Plaintiffs' counsel having advised the Court that the parties have agreed to a payment plan that will be finished within 60 days,

IT IS HEREBY ORDERED that this action is dismissed with prejudice; provided, however, that if any party hereto shall certify to this Court, with a proof of service of a copy on opposing counsel or defendant, within 60 days from the date hereof, that the agreed consideration for the settlement has not been delivered over, this Order shall stand vacated, and the action shall be restored to the calendar to be set for trial.

Dated: June 3, 2009

UNITED STATES DISTRICT COURT

Honorable Marilyn



PROPOSED ORDER FOR THIRTY DAY CONDITIONAL DISMISSAL

PROOF OF SERVICE

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On June 2, 2009 I served the within PROPOSED ORDER FOR SIXTY DAY CONDITIONAL DISMISSAL on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

Staley's Heating & Sheetmetal, Inc.
17595 Vierra Cyn Road.
Prunedale, CA 93907

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on June 2, 2009 at San Francisco, California.

/s/Sharon Eastman
Sharon Eastman